

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

DESERT SANDS UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2010100854

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING NEW
HEARING DATES

On the morning of February 22, 2011, Parent telephonically requested a continuance of the hearing set for that day, due to illness. On February 22, 2011, OAH convened a telephonic status conference call with all parties to discuss the remaining hearing dates.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Speedy resolution of the due process hearing is mandated by law and continuance of the hearing may be granted only upon a showing of good cause. (Ed. Code, § 56505, subd. (f)(3).) In ruling upon a motion for continuance, OAH is guided by the provisions found within the Administrative Procedure Act and the California Rules of Court that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332 .) Generally, continuances of matters are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

OAH has reviewed the request for continuance for good cause, and the request is:

☒ Granted. The 2/22/2011, 2/23/2011 and 2/24/2011 hearing dates are off calendar and are continued until 2/28/2011 (11:00 a.m.–5:00 p.m.), 3/1/2011 (9:00 a.m.–5:00 p.m.) and 3/2/2011 (9:00 a.m.–5:00 p.m.).

IT IS SO ORDERED.

Dated: February 22, 2011

/s/

JUNE R LEHRMAN

Administrative Law Judge

Office of Administrative Hearings